

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

DENNIS STIERS,

Plaintiff,

v.

**COMMISSIONER, SOCIAL
SECURITY ADMINISTRATION,**

Defendant.

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Case No. 2:16-cv-0449

JUDGE ALGENON L. MARBLEY

Magistrate Judge Kemp

ORDER

This matter comes before the Court on Magistrate Judge Kemp's April 13, 2017 **Report and Recommendation** (Doc. 22), which recommended that "Plaintiff's statement of errors be sustained to the extent that the case be remanded to the Commissioner for further proceedings pursuant to 42 U.S.C. § 405(g), sentence four." (Doc. 22 at 11.)

The Report and Recommendation specifically advised the parties that the failure to object results in a waiver of the right to have the district judge review the Report and Recommendation *de novo*, and also operates as a waiver of the right to appeal the decision of the District Court adopting the Report and Recommendation. (*Id.*) The parties have failed to file any objections, and the deadline for objections (April 27, 2017) has lapsed.

The Court hereby **ADOPTS** the Report and Recommendation (Doc. 22) based on the independent consideration of the analysis therein. This case is hereby **REMANDED** to the Commissioner for further proceedings pursuant to 42 U.S.C. § 405(g).

IT IS SO ORDERED.

s/ Algenon L. Marbley
ALGENON L. MARBLEY
UNITED STATES DISTRICT JUDGE

DATED: June 6, 2017